



October 2, 2009

VIA Electronic Submission (<http://www.arb.ca.gov/lispub/comm/bclist.php>)

Ms. Mary D. Nichols
Chairman
California Air Resources Board (CARB)
1001 "I" Street, P.O. Box 2815
Sacramento, CA 95812

Re: Comments to the Heavy-Duty Vehicle Green House Gas (GHG) Emission
Reduction Regulation
(Modified Regulation Released September 17, 2009 - reference ghghdv08)

Dear Ms. Nichols:

The California Air Resource Board (CARB) released its modifications to the Heavy-Duty Vehicle Green House Gas (GHG) Emission Reduction Regulation ("GHG Regulation") on September 17, 2009.

Comments to the modifications were invited to be submitted by the close of business on Friday 5:00 PM PST October 2, 2009.

Michelin North America, Inc. (Michelin) appreciates the opportunity to provide its comments to the modified GHG Regulation and to the related CARB Webcast presentation "Informational Session for the Heavy-Duty Vehicle GHG Emission Reduction Regulation" of September 14, 2009.

Compliance to the GHG Regulation requires the application of technologies verified by the U.S. EPA SmartWay Transport Partnership ("SmartWay") program, which is a voluntary program whose partners are truck carriers, shippers, logistics companies, and truck stops.

Michelin is a shipper partner in the SmartWay Transport Partnership program and has various tire models verified on the SmartWay tire list as low rolling resistance (LRR) tires that can provide a reduction in NOx emissions and an estimated fuel savings of 3% or greater. This would be relative to the "best selling" new tires for line haul trucks, when used on all three axles (steer, drive, and trailer).

CARB's Webcast meeting of September 14, 2009 featured a presentation intended to inform the attendees about the GHG Regulations.

Slide #17 on "SmartWay Certified LRR Tires", i.e. low rolling resistance tires that are SmartWay verified, stated as a bullet point "Retread tires exempt if SmartWay verified casings are used".

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Following the California Global Warming Solutions Act (AB 32), the discrete early action measures were proposed in September 7, 2007 and included the SmartWay verified technologies, e.g. LRR tires, etc.

Retreaded truck tires have not been a part of the SmartWay verified technologies, nor have they been addressed in the original and modified GHG Regulation.

Therefore, the discussion on slide #17, i.e. “Retread tires exempt if SmartWay verified casings are used.” is the first time this provision has been presented as part of the GHG Regulation, despite the fact that the subject of retread truck tires has been silent and that SmartWay verified technologies have not included retreaded truck tires.

Michelin would like to point out that in March of this year, it had the opportunity to discuss the question of retreaded truck tires with two different CARB members. In that discussion, Michelin was advised that retreaded truck tires would be exempt from the GHG Regulation since they have not been addressed by SmartWay at this time.

Therefore, Michelin provides the following comments regarding the September 17, 2009 modified GHG Regulation and the September 14, 2009 Webcast presentation.

1. Michelin supports, in general, the importance of rolling resistance in both fuel savings and reduction of greenhouse gas (GHG).
2. It is premature to prescribe the best way for retreads to be incorporated into the California GHG Regulation.
 - a. There are today discussions in front of SmartWay of ways to integrate the retreaded truck tires into the verified LRR tire technology of SmartWay.
 - i. However, these discussions have not evolved into a plan to establish, with scientific rigor, the SmartWay program for retreaded truck tires.
 - ii. Also, no testing, analyses for logistics and practicality have been done for a SmartWay retreaded truck tire.
3. As a technical matter, a retread is a combination of:
 - a. tire casing
 - b. tread rubber
 - c. manufacturing process

It is inappropriate to assume that, of these three elements, the casing alone would confer a low RR retreaded tire.

- a. Michelin knows, for example, that various retreaders do offer “low RR” retread rubber which is different from other tread rubber.
 - i. This has not been taken into account in the GHG Regulation.
 - ii. Michelin’s retread technology does include low rolling resistance technology in some of its retread tread designs.
- b. One cannot state that a retread truck tire consisting of a SmartWay casing and an unspecified tread rubber is a SmartWay verified technology since that casing/tread combination has not been submitted to SmartWay for verification.

4. It is premature to include the retreaded truck tires into the GHG Regulation for these practical reasons. Some of these issues may be resolved in SmartWay, but the timetable has not been defined and an industry task force needs to work with SmartWay on these issues.
 - a. While it is not clear as to the implementation date for the retreaded truck tires, the question is of the adequate quantity of casings available based on today's list of SmartWay verified tires.
 - b. All retreaders in the USA, Canada, and Mexico are affected since any truck entering California with retreaded truck tires are subject to the GHG Regulation.
 - i. There are approximately 900 truck tire retread shops that would be involved with these practical challenges.
 - c. SmartWay new tires are not marked to indicate they are listed as a verified technology.
 - i. SmartWay currently does not provide for the use of a SmartWay logo on such verified tires.
 - ii. The retreader cannot segregate the SmartWay casings in the retread shop without such a marking.
5. In examining the GHG Regulation, Michelin find that retreaded truck tires will be prohibited in California, i.e.
 - a. Section 95302, a, 55: "Definition":
 - i. "U.S. EPA Verified SmartWay Technology" or "U.S. EPA Verified SmartWay Technologies" means one or more aerodynamic technologies or low-rolling resistance tire models that have been identified by the U.S. EPA as meeting the technical specifications and requirements of the U.S. EPA SmartWay Transport Partnership Program.
 - b. Section 95303, a, 2:
 - i. Except as provided in subsection 95305, Exemptions, B, beginning January 1, 2010, no 2011 or subsequent model year HD tractor, including but not limited to sleeper-cab HD tractors, pulling a 53-foot or longer box-type trailer shall operate on a highway within California unless such tractor's tires are U.S. EPA Approved Verified SmartWay Technologies.
 - c. Section 95303, a, 3:
 - i. Except as provided in subsection 95305, Exemptions, B, beginning January 1, 2012, no 2010 or previous model year HD tractor, regardless of model year, pulling a 53-foot or longer box-type trailer shall operate on a highway within California unless such tractor's tires are U.S. EPA Approved Verified SmartWay Technologies.
 - d. Section 95303, b, 1 and repeated in 2 regarding trailers:
 - i. ... equipped with both.....tires that are U.S. EPA Verified SmartWay Technologies; and....
 - e. By definition for tires, "US EPA Verified SmartWay Technologies" are limited to tires listed by SmartWay on its website, i.e. the tire list.
 - i. No retreads are identified on the verified SmartWay list.

- ii. Therefore, by the reading of the GHG Regulation, retread truck tires would be prohibited from running in California on the effective GHG Regulation compliance dates.

Therefore, Michelin's asks that CARB consider the addition of a clause to the GHG Regulation that states that retreaded truck tires are exempt until such time as the LRR retreaded truck tire technology is included in the SmartWay verified technology list. This would be consistent with CARB's intent to rely on the U.S. EPA SmartWay Transport Partnership program and avoid the potential of having two mutually exclusive requirements.

- 6. In examining the GHG Regulation, Michelin finds that the fleet field evaluation tires are not addressed.
 - a. Michelin, as well as others in the commercial tire industry, routinely works with its fleet customers to develop new and improved products.
 - i. Hundreds of field evaluation tires are run on fleet vehicles for hundreds of thousands of miles, in normal operations, with normal maintenance, to evaluate new designs against existing tires.
 - ii. These new tires may or may not be SmartWay approved specific products. The fleets who participate in these programs often operate in all states and Canada. Therefore, some vehicles may not have CARB qualified tires when operating in California.
 - b. CARB has verbally recognized this and has to our understanding that the vehicles, fleets, and tire manufacturers engaged in such evaluations may be able to operate in California without penalty under an exemption plan that is to be considered.
 - i. Michelin asks CARB to include a plan for the continued use of this important tire evaluation tool.
 - ii. The details of such a registration plan have not yet been detailed..
 - c. Though CARB's intent concerning this issue has been discussed, Michelin would request that this intent be formalized and added to the CARB GHG Regulation.

Michelin looks forward to working with CARB to address the above issues and achieve the goals discussed above.

Please do not hesitate to contact me should any questions or need for clarification arise.

Sincerely,



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